



Patent
Attorney's Docket No. 033275-304

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Reinhard JOHO) Group Art Unit: 2834
Application No.: 09/996,694) Examiner: Thanh Lam
Filed: November 30, 2001) Confirmation No.: 1835
For: PROCESS FOR THE PRODUCTION OF)
A ROTOR, CONTAINING)
PERMANENT MAGNETS, OF A)
SYNCHRONOUS MACHINE, AND)
ROTOR PRODUCED ACCORDING TO)
THIS PROCESS)

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AMENDMENT/REPLY TRANSMITTAL LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed is a reply for the above-identified patent application.

- ☐ A Petition for Extension of Time is also enclosed.
- ☐ A Terminal Disclaimer and a check for ☐ \$55.00 (2814) ☐ \$110.00 (1814) to cover the requisite Government fee are also enclosed.
- ☐ Also enclosed is _____.
- ☐ Small entity status is hereby claimed.
- ☐ Applicant(s) request continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$370.00 (2801) ☐ \$740.00 (1801) fee due under 37 C.F.R. § 1.17(e).
- ☐ Applicant(s) previously submitted __, on __, for which continued examination is requested.
- ☐ Applicant(s) request suspension of action by the Office until at least __, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.
- ☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (146/246) is also enclosed.

☒ No additional claim fee is required.

☐ An additional claim fee is required, and is calculated as shown below:

AMENDED CLAIMS					
	NO. OF CLAIMS	HIGHEST NO. OF CLAIMS PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	ADDT'L FEE
Total Claims		MINUS =		× \$18.00 (1202) =	
Independent Claims		MINUS =		× \$84.00 (1201) =	
If Amendment adds multiple dependent claims, add \$280.00 (1203)					
Total Amendment Fee					
If small entity status is claimed, subtract 50% of Total Amendment Fee					
TOTAL ADDITIONAL FEE DUE FOR THIS AMENDMENT					\$0.00

☐ A claim fee in the amount of \$_____ is enclosed.

☐ Charge \$_____ to Deposit Account No. 02-4800.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: _____

Jeffrey G. Killian
Registration No. 50,891

P.O. Box 1404
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(703) 836-6620

Date: January 3, 2003



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RESPONSE TO RESTRICTION REQUIREMENT AND ELECTION OF SPECIES

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Restriction Requirement forwarded by the Office Action dated December 10, 2002, Applicant hereby provisionally elects Group I, including Claims 1-19 and 35, with species A of Figure 3 for prosecution in the above-identified application. Claims 1-8, 11-19 and 35 read on the elected species. This election is made with traverse.

The Official Action at page 3 alleges that there is currently no generic claim. Applicant respectfully traverses this allegation. Specifically, the Official Action has identified three species, e.g., species A corresponding to Figure 3, species B corresponding to Figure 4, and species C corresponding to Figure 5. In each of Figures 3, 4 and 5, the outer cylinder 3 is shown in relation to the closure disk 4. The outer cylinder 3 and closure disk 4 are connected by one of a peripherally weld seam 9 (Figure 3), an inner

circumferential groove 10 and o-ring 13 inserted into an outer circumferential groove 12 (Figure 4), and a cone shape portion 14 ending in shoulder portion 15 forming a stop (Figure 5). However, at least claim 1 is generic to all three identified species. Claim 1 recites a process for the production of a rotor of a synchronous machine that includes, *inter alia*, introducing a resin mass into the internal space, supplying said resin mass to a region of the permanent magnets by centrifuging the rotor, and hardening of the resin mass in the region of the permanent magnets. In addition, dependent claim 6 recites that the outer cylinder is shrunk onto the closure disks and is at least generic to Figures 3 and 4. Accordingly, applicant respectfully asserts that the election of species requirement is improper, and, further, that at least claim 1 is generic to species A, B, C and at least claim 6 is generic to species A and B.

Further, it is respectfully submitted that the subject matter of claims 1-35 is sufficiently related that a thorough search for the subject matter of any one group would necessarily encompass a search for the subject matter of the remaining groups. Thus, it is respectfully submitted that the search and examination of the entire application could be performed without serious burden. MPEP §803 clearly states that "If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on its merits, even though it includes claims to distinct or independent inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicant in duplicative examination by the Patent Office.

The Examiner is respectfully requested to reconsider and withdraw the Restriction Requirement and to examine claims 1-35 in this application.

Should any questions arise in connection with this application, the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: _____

Jeffrey G. Killian
Registration No. 50,891

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Alexandria, Virginia 22313-1404
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Date: January 3, 2003